



MINUTES OF THE SPECIAL MEETING OF THE DISTRICT BOARD OF THE RODEO SANITARY DISTRICT HELD ON MAY 12, 2020

A Special Meeting of the Governing Board was held at 1:00 p.m. on the 12th day of May, 2020. In accordance with the Governor's Executive Order N-29-20, which suspended certain requirements of the Brown Act due to the ongoing COVID-19 pandemic, Board Members and some staff participated in this meeting via video conference. Members of the public were provided options to participate in the meeting as provided on the agenda.

President Batchelder called the meeting to order at 1:00 P.M.

- 1) **ROLL CALL** President Batchelder took the roll, and the following members were present by video-conference:
- DIRECTORS** Connie Batchelder, President
Janet Callaghan, Vice President
Richard Frakes, Director
Angela Noble, Director
Maureen Brennan, Director
- ABSENT** None
- STAFF PRESENT (in person)** Steven Beall, District Manager
VIDEO CONFERENCE Nancy Lefebvre, District Administrator
Carl Nelson, District Legal Counsel
Morgan Biggerstaff, District Legal Counsel
- OTHERS PRESENT** None

a) **PLEDGE OF ALLEGIANCE TO THE FLAG**

District Manager Beall led the Pledge of Allegiance.

- 2) **PUBLIC COMMENTS-Communication from the public on subjects not on the agenda.**
- None
- 3) **CALL FOR REQUESTS TO CONSIDER ITEMS OUT OF ORDER-** None

4) REPORTS

a) District Manager:

Cathodic Protection System and Outfall: Onsite construction is complete for the Joint Outfall Pipeline Cathodic Protection System Rehabilitation Project. RSD is still working on the results of the outfall inspection and clearing operation. Briefly, we have one heavily impacted and blocked port that could not be cleared on the final dive in November. RSD will work with consultant and the Regional Board to determine the proper course of action. The Consultant is currently coordinating with the Regional Board to develop a procedure to clear the blocked port. It is anticipated the inspection and dive will occur Mid-summer 2020.

District Personnel: The District Manager is pleased to announce that District Employee Timothy Gregor has accepted the promotion to Collections Crew Leader. Tim started with the district in April 2012 as an Unpaid Intern. Tim put in almost 1800 unpaid hours in order to get his State Water Resources Control Board Operations Certificate. Tim took a job at a Gilroy wastewater treatment plant in April 2013 and was employed there for two years. Tim returned to the Rodeo Sanitary District in March 2015 when an operations position became available. Tim holds a Grade III State Water Resources Control Board Operations Certificate and a Grade I Collections Maintenance Certification from the California Water Environment Association. Tim is studying to obtain Grade III certification from CWEA for Collections Maintenance. With Tim leaving operations for collections, this opened an operations position with the District.

District Employee Dean Twigg was being trained as an Operator in Training as part of the Districts part-time Operator Training Program. Dean has been offered and accepted a permanent full-time Operations position with the District. The District is now searching for someone to fill the part-time Operator in Training position.

Qualitative Report of Plant Operations:

District staff discharged digested sludge into the drying bed for nine days while the underground drainage system for the bar screen was being laid out. The construction area was in the middle of the Centrifuge work area, therefore the Centrifuge had to be down during the construction time. Four hours were spent pulling 100 gallons of rags from the headworks, secondary clarifiers, and digester tanks overflow box.

Collection System Operation and Maintenance: The District had no sewer calls for the month of April.

b) Counsel for the District: None.

c) Secretary of the District: None

d) Board Members:

Administrative Committee- None

Budget and Finance Committee

May 11, 2020-C. Batchelder (Stipend), R. Frakes (Stipend)

5) CONSENT CALENDAR-

Staff Recommendation (Motion required): Adopt the consent calendar as recommended.

1. Expenditures April 2020 were reviewed by the Budget Committee.
2. April 2020 Financial Statements reviewed by the Budget Committee.

MOTION: By Frakes, seconded by Noble to approve the Consent Calendar. Motion passed by unanimous vote of the Board:

VOTE: AYES:5 NOES: 0 ABSENT: 0 ABSTAIN: 0

6) EMERGENCY SITUATIONS REQUIRING BOARD ACTION:

Resolution 2020-03 requires Board action to continue the emergency provisions contained in the resolution.

In light of the continuing existence of the COVID-19 pandemic, and Executive Order N-33-20 and the Contra Costa Health Officer Orders, and the need for the District Manager to remain authorized to take all actions necessary for the District to continuously provide essential services to the Rodeo community, and to take all reasonable steps to recover such costs from any and all available sources, and to make determinations, in response to Executive Order N-33-20 and the Contra Costa Health Officer Orders, regarding which District facilities comprise Essential Infrastructure, which District services are Essential Governmental Functions, which District employees and contractors comprise the Essential Workforce and are needed to continue providing Essential Governmental Functions, and to confirm:

- That the District wastewater treatment facility (“WWTP”) located at 800 San Pablo Avenue, Rodeo, and its other facilities used to provide continuous and uninterrupted collection, conveyance, and treatment of wastewater, are crucial infrastructure within the meaning of the Executive Order and Essential Infrastructure under the Health Officer Orders;
- That the continuous and uninterrupted collection, conveyance, and treatment of wastewater by the District is an Essential Governmental Function;
- That specified District employees and contractors comprise the

Essential Workforce and are needed to continue providing
Essential Governmental Functions,

MOTION: By Noble, seconded by Callaghan that Resolution 2020-03
Declaring Emergency and Delegating Authority in Response To COVID-19
pandemic remain in place. Motion passed by unanimous vote of the Board:

VOTE: AYES:5 NOES: 0 ABSENT: 0 ABSTAIN: 0

7) **OLD BUSINESS:**

A) **BAR SCREEN PROJECT UPDATE (DISCUSSION AND ACTION)**

District continues to receive submittals for the Bar Screen Project. The District Manager is distributing the submittals to the appropriate parties (Carollo Engineers, McMillan Jacobs Associates, and District Staff). During this period, the contractor installed the Bar Screen Structure drain lines, repaired original 1973 plant construction potable water line, replaced several severely corroded and broken electrical conduits from both the 1957 and 1973 plant constructions, installed a new concrete pad under the centrifuge, formed the Bar Screen structural slab, and placed most of the rebar for the slab. Photos at the end of the report presented much of the construction and the complexities associated with this project.

B) **CONOCO PHILLIPS REFINERY PROJECT (DISCUSSION AND ACTION)**

At the request of the Board of Directors, a continuing discussion item will remain in the Board Packet until further notice. The discussion will revolve around the Conoco Phillips Refinery Project and risk to the District. No new information to be discussed

8) **NEW BUSINESS:**

A) **SICK LEAVE POLICY REVISIONS (Discussion and Action)**

The District modified Sick Leave Policy 2040 to comply with new Federal Regulations in response to the COVID-19 Pandemic at its April 14, 2020 Special Board Meeting.. Personnel policy experts, Liebert, Cassidy Whitmore have provided guidance documents to help public agencies comply with the new regulations. Since these revisions, the District has received revised updated revisions from Liebert Cassidy Whitmore. This revised policy is effective from April 1 through December 2020.

MOTION: By Noble, seconded by Frakes to approve and adopt revised Sick Leave Policy 2040. Motion passed unanimous vote of the Board:

VOTE: AYES:5 NOES: 0 ABSENT: 0 ABSTAIN: 0

B) APPROVE FISCAL YEAR DRAFT 2020-2021 OPERATING BUDGET (DISCUSSION AND ACTION)

Manager Beall presented the proposed Fiscal Year 2020 – 2021 Operations Budget. The proposed budget represents a 1.29% decrease in expenditures when compared to the 2019-2020 fiscal year operations budget. The proposed Fiscal Year 2020 – 2021 Operations Budget will result in a surplus of \$1,228,428. The required SRF reserve deposit is \$872,000. The required operations transfer of former loan debt service is \$248,900. Therefore, the District has the potential to have a \$107,528 Operations Budget surplus for the Fiscal Year 2020 – 2021. The budget includes a 0% Sewer Service Fee adjustment. The Budget Committee met on April 22, 2020 to discuss the draft Operations Budget. The Budget Committee decided based on the current economic climate that no change in Sewer Service Fee was warranted.

Motion by Noble, seconded by Frakes to approve the fiscal year draft 2020-2021 Operations Budget. Motion passed by unanimous vote of the Board:

VOTE: AYES: 5 NOES: 0 ABSENT: 0 ABSTAIN: 0

C) FISCAL YEAR 2020-2021 CAPITAL BUDGET (DISCUSSION AND ACTION)

The requested Fiscal Year 2020 – 2021 Capital Budget of \$2,443,750 will potentially result in a spending deficit of \$665,760 (assuming a operations reserve transfer of \$250,000). This will potentially reduce the total capital reserve from \$2,920,443 to \$1,305,098. The District's Capital Reserve Policy requires a \$2 million reserve, thus resulting in deficit of approximately \$694,902. The Operations Reserve will maintain a balance that exceeds policy requirements, and the Capital Reserve will fall about 45% below Policy Requirements. This is short-term, being nearly completely replenished in just two years.

Motion by Brennan, seconded by Frakes to approve the fiscal year 2020-2021 Capital Budget with the transfer of \$250,000 from the Operations Reserve Account to the Capital Account and correction to account 1791.

Motion passed by the following vote of the Board:

VOTE: AYES: Frakes, Noble, Brennan, Batchelder
NOES: Callaghan
ABSTAIN: None
ABSENT: None

D) APPROVE MINUTES FOR SPECIAL BOARD MEETING APRIL 14, 2020
(DISCUSSION AND ACTION)

MOTION: By Frakes, seconded by Brennan to approve the April 14, 2020 Special Board Meeting Minutes. Motion passed by unanimous vote of the Board.

VOTE: AYES: 5 NOES: 0 ABSENT: 0 ABSTAIN: 0

9) PUBLIC HEARING-None

10) COMMUNICATION

Relevant Communications to and from the District are included in the Board Packet.

11) CLOSED SESSION-None

12) REPORT OUT OF CLOSED SESSION-Nothing to report.

13) SUGGESTIONS FOR FUTURE AGENDA ITEMS-None

14) ADJOURNMENT

Meeting adjourned at 2:52 P.M. The next meeting of the Rodeo Sanitary Board of Directors will be held on Tuesday June 9, 2020 at 1:00 P.M.at Rodeo Sanitary District.

Connie Batchelder, President
Rodeo Sanitary District

Countersigned:

Nancy Lefebvre, District Administrator
Rodeo Sanitary District